

Her boss at the EPA at the time was Gina McCarthy. Guess where she is now—in the White House. She, again, will be Janet McCabe's boss in the White House, dictating from there.

During her time at the EPA before, she didn't listen, she wouldn't come to West Virginia, and she basically showed very little interest in what happens to the people most deeply affected by the policies that she put forward.

So given her past actions and present statements, I cannot support someone who would work to destroy a State's economy, such as ours was destroyed, and our communities and their livelihoods.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I rise today to urge our colleagues to join me in voting for cloture on the nomination of Janet McCabe to serve as Deputy Administrator of the Environmental Protection Agency.

Running an Agency like the EPA requires that person to work with and serve people regardless of their political persuasion. Some people strive to be bipartisan. Janet McCabe has a proven record of being bipartisan. That is one of the reasons why nine former EPA Deputy Administrators and Administrators support her nomination, including four Republicans who served in the Reagan, the George H.W. and the George W. Bush administrations.

Janet has served as a senior EPA manager. She is a pragmatic and a good listener. That trait comes in no small part from her Hoosier background and the time that she spent with pragmatic people who will do the right thing if they understand what is needed. That is what Janet McCabe will bring with her to the role of Deputy Administrator at EPA, if confirmed. I urge my colleagues to join me in voting yes on this nomination.

I yield.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 54, Janet Garvin McCabe, of Indiana, to be Deputy Administrator of the Environmental Protection Agency.

Charles E. Schumer, Thomas R. Carper, Ron Wyden, Jack Reed, Benjamin L. Cardin, Patrick J. Leahy, Michael F. Bennet, Tim Kaine, Christopher Murphy, Richard J. Durbin, Cory A. Booker, Martin Heinrich, Chris Van Hollen, Edward J. Markey, Sherrod Brown, Bernard Sanders, Robert P. Casey, Jr., Richard Blumenthal.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, is it the sense of the Senate that debate on the nomination of Janet Garvin McCabe, of Indiana, to be Deputy Administrator of the Environmental Protection Agency, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Mr. CRAMER), the Senator from Kentucky (Mr. PAUL), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. SCOTT), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Florida (Mr. SCOTT) would have voted "nay".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 42, as follows:

[Rollcall Vote No. 168 Ex.]

YEAS—52

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lujan	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Grassley	Padilla	
Hassan	Peters	

NAYS—42

Barrasso	Graham	Moran
Blackburn	Hagerty	Portman
Boozman	Hawley	Risch
Braun	Hoeven	Romney
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Lummis	Toomey
Daines	Manchin	Tuberville
Ernst	Marshall	Wicker
Fischer	McConnell	Young

NOT VOTING—6

Blunt	Paul	Scott (FL)
Cramer	Rounds	Shelby

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 42.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Janet Garvin McCabe, of Indiana, to be Deputy Administrator of the Environmental Protection Agency.

RECESS

Thereupon, the Senate, at 12:51 p.m., recessed until 2:15 p.m. and reassembled

when called to order by the Presiding Officer (Ms. SINEMA).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

NOMINATION OF COLIN HACKETT KAHL

Mr. INHOFE. Madam President, I come to the floor today to urge my colleagues strongly to vote against the nomination of Colin Kahl to serve as Under Secretary of Defense for Policy. That position is the No. 3 position in the Department of Defense.

Last week, Colin Kahl became President Biden's first nominee not to garner one single Republican vote on the Senate floor. The Vice President had to cast the tie-breaking vote. Every other nominee, even some of the most partisan progressives, earned at least one or some Republican votes.

What makes this nomination even more out of the ordinary is that this truly never happens with DOD nominees. If you look back over the last decade, recorded votes on DOD nominees are rare and only a few times did a nominee receive support from fewer than two-thirds of the Senate. It just doesn't happen. It happened this time.

Some of his tweets have raised concerns from a number of our colleagues that Dr. Kahl might have shared sensitive or classified information on Twitter. The junior Senator from Tennessee highlighted this on the floor last week.

Furthermore, Dr. Kahl's tweets also show a history of volatile behavior that goes further than just being highly partisan and unbalanced. He is also somewhat of a conspiracy theorist.

In May of 2018, Israeli Prime Minister Benjamin Netanyahu announced that Israel had seized a major nuclear archive from Iran. That archive has since revealed many previously unknown nuclear sites, and the International Atomic Energy Agency is working to gain access to inspect these sites today, thanks to Israel's discovery.

But what did Dr. Kahl say about Israel's discovery at that time? He was skeptical, and he added: "This sure has an eerie pre-2003 Iraqi vibe to it." In other words, rather than being alarmed about the fact that Iran had many undeclared nuclear sites, Dr. Kahl alleged that Israel was trying to goad America into war.

Somehow, for Dr. Kahl the problem is never Iran or the weak 2015 Iran deal that didn't cover the nuclear sites that Israel revealed. He wants to give Iran massive sanctions relief to return to that deal. No, for Dr. Kahl the problem is Israel, especially when our Israeli friends reveal information about Iran's nefarious behavior.

Again, this isn't about a policy disagreement. This is about whether Dr. Kahl is someone who can accept facts, even when those facts undercut his policy preferences.

National security is a bipartisan priority. It always has been and always

will be. As I said at the beginning of this, traditionally, nominees for key DOD roles receive bipartisan support in the Senate. In fact, I can't recall a single nominee for a top DOD position in the past 40 years who didn't garner at least one vote from the other party—either party.

Now, I hope President Biden keeps this in mind as he staffs the rest of his administration. We need nominees who will work with Members on both sides of the aisle, and those Members have to trust that person in return. Moving forward, I would urge President Biden to listen to his own calls for bipartisanship and unity and send us nominees who could be approved without controversy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I ask unanimous consent to be able to complete my remarks before the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JANET GARVIN MCCABE

Mr. CARPER. Madam President, the Senate has invoked cloture, and I just want to thank everybody who supported cloture on Janet McCabe's nomination to serve as Deputy Administrator of the Environmental Protection Agency.

I rise now to urge my colleagues to support the confirmation of this outstanding nominee, because Janet McCabe is exactly the leader that Administrator Michael Regan and the rest of the EPA need right now as we tackle some of the most pressing challenges in the Agency and in our Nation's history.

She will do so as one who understands the challenges and opportunities of working as a director of an air program, within a State environmental agency, to create a safe, healthy, and nurturing environment—not just for the citizens of some communities but for all communities and all ZIP Codes in Indiana, but also for the industry throughout her State.

I stand before you today, as my colleagues sometimes call me, as a recovering Governor. I understand how difficult it can be to bring a genuine interest to hear all points of view, to a job where Agency actions have consequences in every home and in every business. Perhaps Janet McCabe's colleague, Fred Cate, vice president of research at the University of Indiana put it best in an interview in the *IndyStar* recently. I just want to quote him. This is what he said:

"The reason she will be great at EPA is the same reason she was superb here". . . . "It's her ability to get people behind a common vision and get them to do things and not just talk about them."

Janet McCabe is a steady hand who has built a 30-year career of leadership in environmental protection. Her dedication and her know-how will be invaluable in protecting clean air and clean water, addressing the climate

crisis, and realizing environmental justice for the most vulnerable among us.

So it is no surprise that she has garnered support from 48 leading environmental organizations. At the same time, anyone who has worked with Ms. McCabe knows that she is a hard-working, pragmatic Hoosier to the core. She works well with Democrats. She works well with Republicans and with Independents. And that is why she has the public support of nine former EPA Deputy Administrators and Acting Administrators, including four Republican former EPA Deputy Administrators who served in the Reagan administration and who served in the administration of George Herbert Walker Bush and who served in the George W. Bush administration.

Her professional experience includes service in both Federal and State government, and that includes impressive tenures in both Indiana and Massachusetts government agencies, as well as years of leadership experience at EPA.

Based on that experience, Ms. McCabe knows that in order for any Federal Agency to be successful, its leaders must work closely and collaboratively with State and local partners, no matter which party is in charge.

Her pragmatic and inclusive style has also inspired support of the electric power industry. The Edison Electric Institute, which represents all U.S. investor-owned electric companies, enthusiastically supports Janet McCabe's nomination. This is an organization—listen to this—that speaks for companies that provide power to 220 million Americans. That is right—roughly two-thirds of all Americans.

Let me put it another way. Edison Electric Institute's members generate electricity for two-thirds of all Americans, and they have thrown their support behind the nomination of Janet McCabe for this post.

According to EEI president Tom Kuhn, he says Janet McCabe "has a strong commitment to public service and a solid track record of engaging with diverse stakeholders, including industry, as demonstrated by her time at the helm of both the Air Program at the Indiana Department of Environmental Management and EPA's Office of Air and Radiation."

That is a quote.

Ms. McCabe has their support because she has demonstrated time and again that environmental and economic progress go hand in hand. Let me say that again. She demonstrated time and again that cleaner air, clean water, environmental progress, and economic progress go hand in hand. They are inextricably linked. That ethic has earned Ms. McCabe the support of the American Chemistry Council, the Association of Equipment Manufacturers, and the BlueGreen Alliance, which represents some of our largest labor unions.

Ms. McCabe knows that while working to protect clean air and clean water and address climate change, the Agen-

cy must seize the opportunity to protect and create good-paying jobs across our country. She understands that the environmental and climate challenges we face are not just a problem. They offer economic and competitive opportunity.

President Biden's American Jobs Plan embraces these principles, and Janet McCabe has the experience and she has the intelligence to work with her Agency colleagues to translate them into action at EPA. President Biden's American Jobs Plan embraces these principles, and Janet McCabe has the experience and the intelligence to work with her Agency colleagues to translate them into action at EPA.

The Association of Equipment Manufacturers put it very well when they wrote last month, and this is their quote:

Ms. McCabe will bring the leadership and collaborative spirit needed to address difficult environmental challenges and improve regulatory processes, and ensure we can continue to build, power, and feed our country in an innovative and sustainable way.

Ms. McCabe will help ensure that everyone—everyone who has a stake in our environment and our economy—has a seat at the table. She has built a reputation of listening to everyone—everyone—addressing real economic concerns, making sure government policy helps people and communities at the local level.

Ms. McCabe embodies these values in her current role as director of Indiana University's Resilience Institute, where she works every day to help mayors and to help farmers and communities of all sizes and shapes prepare for and adapt to climate change.

I will borrow once again from Janet McCabe's colleague from the University of Indiana, Fred Cate, who said of her career success, and I quote him again:

"She understands that at the end of the day, if you don't bring along finance and industry and local buy-in, then we won't get things done."

I couldn't have said it better.

As Deputy Administrator, Janet's role will be the equivalent of a chief operating officer. She will be primarily focused on EPA internal policies and procedures—the day-to-day running of the Agency—and will not play a significant role in crafting new public policies.

One of her key tasks will be to restore the Agency's organizational health, which suffered during the previous administration, as respect for science and career staff advice declined and morale deteriorated. There is no person better suited to overseeing this internal restoration than Janet McCabe. Under her leadership I have every confidence that EPA will recover and soar.

I am very grateful that Janet has agreed to serve her country again in this new leadership role, and I am grateful to her family for their willingness to share her again with all of us.